

Goldberg & Associates

April 14, 2020

Southern District of New York
Thurgood Marshall United States Courthouse
ATTN: Honorable Katherin Polk Failla
40 Foley Square, Room 2103
New York, NY 10007

Courtesy Copy

MEMO ENDORSED

Re: *Alnajjar et al. v. Pompeo et al.*
Case Number: 1:20-cv-02665
Plaintiffs' Request for Adjournment of Initial Pretrial Conference

Dear Judge Polk Failla,

On April 1, 2020, this Court issued an order directing Counsel for all parties to appear for an initial pretrial conference on August 4, 2020, at 3:30 p.m. (Dkt 7). Plaintiffs respectfully request that the current date for the pretrial conference be changed as Counsel for Plaintiffs will be unavailable during the month of August 2020.

Plaintiffs' Counsel is available any date remaining in April 2020 and could appear telephonically given the current situation. Additionally, Plaintiffs' Counsel is available any date between July 1 and July 17, 2020, or any date in the month of September 2020, as it may please the court.

In accordance with Your Honor's Individual Rules of Practice in Civil Cases, Rule 2(D), Plaintiffs provide the Court the following information as it relates to Plaintiffs' request for adjournment:

- (i) The Original Date: August 4, 2020.
- (ii) The Number of Previous Requests For Adjournment: Plaintiffs have not made any prior request for adjournment of the initial pretrial conference.
- (iii) Whether Previous Requests Were Granted or Denied: Plaintiffs again respectfully admit Plaintiffs have not made any prior request for adjournment of the initial pretrial conference.
- (iv) The Reason For The Current Request. You Honor's order requires the initial pretrial conference be attended by the attorney who will serve as principal trial counsel. (Dkt 7). I am the

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attorney who will serve as principal trial counsel. I will not be in New York on August 4, 2020, the current date the initial pretrial conference is scheduled. (Dkt 7). Plaintiff's Counsel has several hearings during the month of August before U.S. Immigration Court in Los Angeles, CA including on August 3, 2020.

(v) Whether The Adversary Consents, And if Not, The Reasons Given By The Adversary for Refusing to Consent: Plaintiffs have not asked Defendants if they consent. Plaintiffs filed their Complaint on March 31, 2020. (Dkt 4). Yesterday, April 13, 2020, the clerk of court issued electronic summonses in order for Plaintiffs to effectuate service of the instant-matter. Plaintiffs served a copy via certified mailed a copy of the Summons and Complaint on Defendants on April 13, 2020 but it clearly has not yet reached the Defendants. Accordingly, Defendants' Counsel has not entered an appearance in the instant-matter at the present time and Plaintiffs do not have anyone to ask.

Plaintiffs' Counsel thanks the court in advance for its time and consideration of this request.

Respectfully Submitted,

/s/ Julie Goldberg
Julie Goldberg, Esq.
GOLDBERG & ASSOCIATES

cc via ECF: Unrepresented Defendants

Application GRANTED. The initial pretrial conference currently scheduled for August 4, 2020, is hereby ADJOURNED to September 1, 2020, at 11:00 a.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

Dated: April 15, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE